

☐ Interpreter Required

UNITED STATES DISTRICT COURT
for the
MIDDLE DISTRICT OF TENNESSEE

U.S.A. vs. William David Sharpton Docket No. 1:12-00004-02

Petition for Action on Conditions of Pretrial Release

COMES NOW Burton Putman, PRETRIAL SERVICES OFFICER
presenting an official report upon the conduct of defendant William David Sharpton
who was placed under pretrial release supervision by the Hon. Thomas E. Morris, U.S. Magistrate Judge
sitting in the Court at Jacksonville, Florida, on May 1, 2012, under the following
conditions: Please reference the attached Order Setting Conditions of Release

Respectfully presenting petition for action of Court and for cause as follows:
Please reference page two of this document

I declare under penalty of perjury that the foregoing is true and correct.

W. Burton Putman Nashville, TN March 8, 2013
U.S. Pretrial Services Officer Place: Date:
Next Scheduled Court Event Sentencing Hearing April 22, 2013
Event Date

PETITIONING THE COURT

- | | |
|--|--|
| <input type="checkbox"/> No Action | <input type="checkbox"/> To issue an order setting a hearing on the petition |
| <input checked="" type="checkbox"/> To Issue a Warrant | <input type="checkbox"/> Other |

THE COURT ORDERS:

- | | |
|--|---|
| <input type="checkbox"/> No Action | <input type="checkbox"/> A Hearing on the Petition is set for |
| <input checked="" type="checkbox"/> The Issuance of a Warrant. | |
| <input type="checkbox"/> Sealed Pending Warrant Execution
(cc: U.S. Probation and U.S. Marshals only) | |
| <input type="checkbox"/> Other | Date _____ Time _____ |

Considered and ordered this 11th day
of March, 2013, and ordered filed
and made a part of the records in the above
case.

[Signature]
Honorable William J. Haynes, Jr.
Chief U.S. District Judge

Honorable William J. Haynes, Jr.
Chief U.S. District Judge
Petition for Action on
Sharpton, William David
Docket No. 1:12-CR-00004-02
March 8, 2013

On May 1, 2012, the defendant, William David Sharpton, was released by the Honorable Thomas E. Morris, U.S. Magistrate Judge, in the Middle District of Florida, at Jacksonville, on his own recognizance but under conditions and pretrial supervision. One of the conditions ordered was that the defendant was placed in the third party custody of Connie Smith of Fernandina Beach, Florida. On May 21, 2012, the defendant made his initial appearance before the Honorable Joe B. Brown, U.S. Magistrate Judge, in the Middle District of Tennessee. The defendant was arraigned and released on the same bond conditions that were previously imposed in the Middle District of Florida. The defendant has been supervised by the U. S. Pretrial Services Office in the Middle District of Florida since his release.

On February 1, 2013, before Your Honor, the defendant entered a plea of guilty to violating 21 U.S.C. § 846, Conspiracy to Unlawfully, Knowingly, and Intentionally Manufacture, Possess with Intent to Distribute and Distribution of MDMA.

Special Conditions of Pretrial Release:

Please reference the attached Release Order and Conditions of Release.

VIOLATION(S):

Violation No. 1: Failure to refrain from the violation of any local, state or federal law.

According to the supervising pretrial services officer in the Middle District of Florida, the defendant was arrested by the Fernandina Beach, Florida, Police Department and charged with Disorderly Intoxication on March 7, 2013. Reportedly, the defendant's wife was arrested as well.

At approximately 2032 hours on March 7, 2013, police were dispatched to the corner of Beech Street and South 13th Street in Fernandina Beach, Florida, in reference to a verbal altercation. Upon arrival, the responding officer observed an off duty officer working a security detail in the area in the process of detaining the defendant's wife. The St. Michael Academy was holding a carnival for the youth in the area. The off duty officer advised that he had observed both the defendant and his wife intoxicated inside the festival. He indicated they were causing a scene and disturbing other patrons. They were asked to leave the area. Several minutes later pedestrians advised the couple was involved in a verbal and physical altercation. The investigating officer found the couple's 13 year old daughter also at the scene. She disclosed that her parents were drunk and trying to grab her and take her home. She stated that she was not comfortable and did not feel safe going home with them so she contacted her grandmother. The investigating officer found the couple to be unsteady on their feet, having slurred speech, and having a strong odor of alcohol emitting from their persons. The couple was then arrested.

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According to Connie Smith, the defendant's third party custodian as well as his mother in law, she has recently suspected the defendant has been abusing his prescription hydrocodone and Xanax. She also alleged that during the evening of March 7, 2013, she received an hysterical call from her granddaughter stating she was frightened and had to run from the defendant because he was threatening her and trying to physically accost her. She further stated that her granddaughter had told her that she had seen the defendant mixing his prescription Xanax with alcohol. Mrs. Smith arrived at the scene just about the same time Mr. and Mrs. Sharpton were being arrested.

Violation No. 2: The defendant shall refrain from any use of alcohol.

As stated above, the defendant was arrested on March 7, 2013, for Disorderly Intoxication.

Current Status of Case:

According to PACER, this case has been set for sentencing on April 22, 2013, at 3 p.m.

Probation Officer Action:

As recently as March 6, 2013, the pretrial services officer in the Middle District of Florida met with the defendant and his third party custodian and talked with him about his possible misuse of prescription medications and about his needing to take his medications both legally and responsibly.

Additionally, the defendant was terminated from his job with Winn Dixie earlier today, March 8, 2013, because he did not report to work.

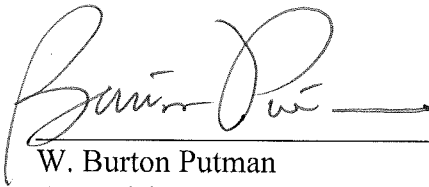
Respectfully Petitioning the Court as Follows:

It is respectfully requested that the Court issue a warrant for the defendant's arrest and that the warrant be held under seal pending execution.

The U. S. Attorney's Office has been advised of the defendant's noncompliance and that Pretrial Services will be requesting a warrant and possible revocation of bond.

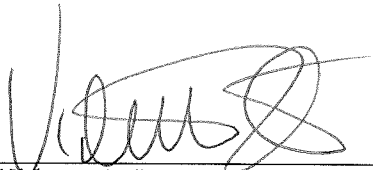
Honorable William J. Haynes, Jr.
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Submitted by:

A handwritten signature in cursive script, appearing to read "W. Burton Putman", written over a horizontal line.

W. Burton Putman
Supervising U. S. Probation Officer

Approved:

A handwritten signature in cursive script, appearing to read "Vidette A. Putman", written over a horizontal line.

Vidette A. Putman
Supervising U.S. Probation Officer

FILED
5-1-12
UNITED STATES DISTRICT COURT CLERK, U.S. DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA MIDDLE DISTRICT OF FLORIDA
JACKSONVILLE DIVISION JACKSONVILLE, FLORIDA

UNITED STATES OF AMERICA

**ORDER SETTING CONDITIONS
OF RELEASE**

v.

WILLIAM DAVID SHARPTON

Case No. 3:12-MJ-1085-TEM
M.D. of TN Case No.: 1:12-0004-02 Judge Haynes

IT IS ORDERED that the release of the defendant is subject to the following conditions:

- (1) The defendant **shall not commit** any offense in violation of federal, state or local law while on release in this case and shall report any violations, arrests or convictions to Pretrial Services immediately.
- (2) The defendant **shall remain at the address provided to the Court and not change address without prior permission from the Pretrial Services Officer.**
- (3) The defendant **shall appear** at all proceedings as required and shall surrender for service of any sentence imposed as directed. The defendant shall next appear **upon notification by the Clerk of Court** in the Middle District of Tennessee.

ADDITIONAL CONDITIONS OF RELEASE

In order reasonably to assure the appearance of the defendant and the safety of other persons and the community, it is **FURTHER ORDERED** that the release of defendant is subject to the conditions set forth below:

(4) **Financial Conditions:**

The defendant shall execute an **unsecured** bond binding defendant to pay the United States of America the sum of **\$10,000.00, with no money deposited with the Registry of the Clerk of Court.**

(5) CUSTODIANSHIP

The defendant is placed in the custody of: **Connie Smith** who agrees: (a) to supervise the defendant in accordance with all the conditions of release, (b) to use every effort to assure the appearance of the defendant at all scheduled court proceedings, and (c) to notify the court immediately in the event the defendant violates any conditions of release or disappears.

May 1, 2012

Signed Connie Smith
Custodian or Proxy

Address: 631 Tarpon Ave
#6327
Fernandina Beach, FL
32034

Telephone: (904) 321-7363

(6) Specific Conditions: The defendant shall:

- A. Maintain or actively seek employment.
- B. Abide by the following restrictions on travel: **defendant's travel is restricted to Middle District of Florida and Tennessee.** The defendant will be permitted to travel from Fernandina Beach, Florida to Tennessee for consultation with counsel or any scheduled court appearances in the Middle District of Tennessee. Defendant's travel may be modified by the Pretrial Services Officer.
- C. Report on a regular basis to **Pretrial Services Office** as directed by the Pretrial Services Officer.
- D. Refrain from possessing a firearm, destructive device, or other dangerous weapon.
- E. Refrain from any use of alcohol, and any use or unlawful possession of a narcotic drug and other controlled substances defined in 21 U.S.C. § 802 unless prescribed by a licensed medical practitioner.

- F. Undergo drug testing, education and treatment as directed by Pretrial Services Office with the cost borne by the defendant as determined by the Pretrial Services Office.
- G. Defendant shall not drive without a valid driver's license.

ADVICE OF PENALTIES AND SANCTIONS

TO THE DEFENDANT:

YOU ARE ADVISED OF THE FOLLOWING PENALTIES AND SANCTIONS:

A violation of any of the foregoing conditions of release may result in the immediate issuance of a warrant for your arrest, a revocation of release, an order of detention, and a prosecution for contempt of court and could result in a term of imprisonment, a fine, or both.

The commission of any crime while on pre-trial release may result in an additional sentence to a term of imprisonment of not more than ten years, if the offense is a felony; or a term of imprisonment of not more than one year, if the offense is a misdemeanor. This sentence shall be in addition to any other sentence.

Federal law makes it a crime punishable by up to five years of imprisonment, and a \$250,000 fine or both to intimidate or attempt to intimidate a witness, victim, juror, informant or officer of the court, or to obstruct a criminal investigation. It is also a crime punishable by up to ten years of imprisonment, a \$250,000 fine or both, to tamper with a witness, victim or informant, or to retaliate against a witness, victim or informant, or to threaten or attempt to do so.

If after release, you knowingly fail to appear as required by the conditions of release, or to surrender for the service of sentence, you may be prosecuted for failing to appear or surrender and additional punishment may be imposed. If you are convicted of:

- (1) an offense punishable by death, life imprisonment, or imprisonment for a term of fifteen years or more, you shall be fined not more than \$250,000 or imprisoned for not more than ten years, or both;
- (2) an offense punishable by imprisonment for a term of five years or more, but less than fifteen years, you shall be fined not more than \$250,000 or imprisoned for not more than five years, or both;
- (3) any other felony, you shall be fined not more than \$250,000 or imprisoned not more than two years, or both;
- (4) a misdemeanor, you shall be fined not more than \$100,000 or imprisoned not more than one year, or both.

A term of imprisonment imposed for failure to appear or surrender shall be in addition to the sentence for any other offense. In addition, a failure to appear may result in the forfeiture of any bond posted.

Acknowledgment of Defendant

I acknowledge that I am the defendant in this case and that I am aware of the conditions of release. I promise to obey all conditions of release, to appear as directed, and to surrender for service of any sentence imposed. I am aware of the penalties and sanctions set forth above.

Date: 5/1/12


Signature of Defendant

1733 A Jasmine Street
Address

Fernandina Beach FL 32034
City and State

Telephone
615-848-4749

DIRECTIONS TO UNITED STATES MARSHAL

- (X) The defendant is **ORDERED** released after processing.
() The United States Marshal is **ORDERED** to keep the defendant in custody until notified by the clerk or judicial officer that the defendant has posted bond and/or complied with all other conditions of release. The defendant shall be produced before the appropriate judicial officer at the time and place specified, if still in custody.

Date: May 1, 2012


THOMAS E. MORRIS
United States Magistrate Judge

Copies to:
Asst. U.S. Attorney (Devereaux)
Asst. Federal Public Defender (Burke)
Third Party Custodian
William David Sharpton
U.S. Marshal
Pretrial Services